

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : W. James COOK et al. Art Unit : Unknown
Serial No. : Examiner : Unknown
Filed :
Title : ASPERGILLUS N-MYRISTOYL TRANSFERASE GENES AND
POLYPEPTIDES AND USES THEREOF

Commissioner for Patents
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Prior to examination, please amend the application as follows.

In the specification:

At page 1, after the title of the invention, add the following paragraph.

--Cross-Reference to Related Application

This application is a divisional of U.S. application Serial No. 09/163,444, filed September 30, 1998, which is incorporated herein by reference in its entirety.--

At page 2, replace the first full paragraph as follows:

--The invention features a nucleic acid molecule which is at least 65% (or 75%, 85%, 95%, or 98%) identical to the nucleotide sequence shown in SEQ ID NO:1, or SEQ ID NO:3, or the nucleotide sequence of the cDNA insert of the plasmid deposited with ATCC as Accession Number (the "cDNA of ATCC PTA-1663"), or a complement thereof.--

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May 15, 2001
Date of Deposit

Lisa G. Gray
Signature

Lisa G. Gray
Typed or Printed Name of Person Signing Certificate

At page 2, replace the second full paragraph as follows:

--The invention features a nucleic acid molecule which includes a fragment of at least 300 (e.g., 325, 350, 375, 400, 425, 450, 500, 550, 600, 650, 700, 800, 900, 1000, 1200, 1400, 1600, or 1770) nucleotides of the nucleotide sequence shown in SEQ ID NO:1, or SEQ ID NO:3, or the nucleotide sequence of the cDNA ATCC PTA-1663, or a complement thereof.--

At page 2, replace the third full paragraph as follows:

--The invention also features a nucleic acid molecule which includes a nucleotide sequence encoding a protein having an amino acid sequence that is at least 65% (or 75%, 85%, 95%, or 98%) identical to the amino acid sequence of SEQ ID NO:2 or the amino acid sequence encoded by the cDNA of ATCC PTA-1663.--

At page 2, replace the fourth full paragraph as follows:

--Also within the invention is a nucleic acid molecule that encodes a fragment of a polypeptide having the amino acid sequence of SEQ ID NO:2, the fragment including at least 15 (25, 30, 50, 100, 150, 300, 400, or 450) contiguous amino acids of SEQ ID NO:2 or the polypeptide encoded by the cDNA of ATCC Accession Number PTA-1663.--

At page 3, replace the first paragraph starting at line 1 as follows:

--NMT protein which is encoded by a nucleic acid molecule having a nucleotide sequence that is at least about 65% (e.g., 75%, 85%, or 95%) identical to SEQ ID NO:1 or the cDNA of ATCC PTA-1663; and an isolated NMT protein which is encoded by a nucleic acid molecule having a nucleotide sequence which hybridizes under stringent hybridization conditions to a nucleic acid molecule having the nucleotide sequence of SEQ ID NO:1 or the non-coding strand of the cDNA of ATCC PTA-1663.--

At page 3, replace the first full paragraph starting at line 10 as follows:

--Another embodiment of the invention features NMT nucleic acid molecules which specifically detect *Aspergillus* NMT nucleic acid molecules relative to nucleic acid molecules encoding other

N-myristoyltransferases. For example, in one embodiment, an *Aspergillus* NMT nucleic acid molecule hybridizes under stringent conditions to a nucleic acid molecule comprising the nucleotide sequence of SEQ ID NO:1, SEQ ID NO:3, or the cDNA of ATCC PTA-1663, or a complement thereof. In another embodiment, the *Aspergillus* NMT nucleic acid molecule is at least 300 (e.g., 400, 500, 700, 900, 1100, or 1300) nucleotides in length and hybridizes under stringent conditions to a nucleic acid molecule comprising the nucleotide sequence shown in SEQ ID NO:1, SEQ ID NO:3, the cDNA of ATCC PTA-1663, or a complement thereof. In another embodiment, the invention provides an isolated nucleic acid molecule which is antisense to the coding strand of an *Aspergillus* NMT nucleic acid.--

At page 12, replace the second paragraph beginning at line 5 as follows:

--Figs. 1A and 1B are a listing of the nucleotide sequence (SEQ ID NO:1) and predicted amino acid sequence (SEQ ID NO:2) of *Aspergillus fumigatus* *N*-myristoyl transferase (NMT).--

At page 12, replace the third paragraph beginning at line 8 as follows:

--Figs. 2A to 2C are a listing of the genomic (SEQ ID NO:3) and predicted amino acid sequences (SEQ ID NO:2) of *Aspergillus fumigatus* NMT.--

At page 14, replace the first full paragraph starting at line 9 as follows:

--A nucleic acid sequence that is substantially identical to an essential nucleotide sequence is at least 80% identical to the nucleotide sequence of NMT as represented by the SEQ ID NOs:1 and 3, as depicted in Figs. 1A to 1B and 2A to 2C. For purposes of comparison of nucleic acids, the length of the reference nucleic acid sequence will generally be at least 40 nucleotides, e.g., at least 60 nucleotides or more nucleotides.--

At page 18, replace the last paragraph beginning on line 22 as follows:

-- Preferred NMT polypeptides include a sequence substantially identical to all or a portion of a naturally occurring *Aspergillus* NMT polypeptide, e.g., including all or a portion of the sequences shown in Figs. 2A to 2C. Polypeptides "substantially identical" to the NMT polypeptide sequences described herein have an amino acid sequence that is at least 65% identical to the amino acid sequence of the NMT polypeptide represented by the SEQ ID NO:2 (measured as described herein). The new polypeptides can also have a greater percentage identity, e.g., 85%, 90%, 95%, or even higher. For purposes of comparison, the length of the--

In the claims:

Cancel claims 1 to 41.

REMARKS

Applicants have filed this Preliminary Amendment to cancel claims allowed in the parent application and claims that applicants do not wish to pursue at this time. Only claim 42 to an isolated polypeptide is pending at this time. Applicants have also revised the Figure descriptions to match the formal drawings filed with this application. Applicants intend to file a Supplemental Preliminary Amendment to include additional claims. Applicants request that the Examiner contact the undersigned if a Supplemental Preliminary Amendment has not been entered into the case by the time the Examiner is ready to examine this application.

A marked-up version of the changes made by this Preliminary Amendment is enclosed.

No extra fees are believed due. However, please apply any other charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 06286-089002.

Respectfully submitted,

Date: May 15, 2001

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Version with markings to show changes made

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041DV1)

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In the claims:

Claims 1 to 41 have been cancelled.